

June 14, 1976

Mr. Kenneth Payton, Superintendent
Southern Pueblos Agency
P. O. Box 1667
Albuquerque, New Mexico 87103

Confidential Claim Retracted

Authorized by: SL

Date: 6/12/76

Dear Mr. Payton:

By letter dated May 6, the Agency Realty Officer transmitted to me a copy of a memorandum dated March 19 from the Mining Engineer, U.S.G.S. together with a copy of Anaconda Company's proposed mining and reclamation plan for the P-15 and P-17 Mines. A copy of the environment assessment was also furnished.

I have reviewed the documents and have determined that it would not be in the best interest of the Pueblo to approve the proposed Mining and Reclamation plan. I am disturbed that it has been concluded that an environmental impact statement is not necessary despite the fact that we have no assurance that there would not be any adverse impact upon the environment and, more importantly, upon the health of my people, by radio-active wastes and the subsequent potential emission of radon-gas. For too many years now the Pueblo Council has approved leases, rights-of-way, etc., upon the recommendations of our advisors, without due regard to the potential adverse impact upon the health of our people. I believe you are aware that we are in the process of having an indepth analysis made by EPA, IHS, and other agencies concerned with the effects of uranium mining upon the environment and the health of people. Until such study or investigation is completed, I feel that we are without sufficient knowledge to approve Anaconda's request.

Further, we have been extremely concerned about Anaconda's failure to backfill the pits which it has created. Our concern is that the surface or excavation operations will not continue much longer. Once such operations cease, the Company will be without material for backfill unless waste piles are used for this purpose and I doubt that the Company would be willing to undertake what will be an expensive process. I feel that any mining or reclamation plan approved by the Council must provide for backfill of the pits.

It is my opinion that an environmental impact statement should be required and that the mining plan should not be approved unless it requires the use of waste material for backfill. Furthermore, the Bureau, as trustee, should insist that the Company comply with the lease provision and develop a reclamation plan as soon as possible so that the Pueblo is not again faced with having to accept a plan which does not reflect our wishes because we were too late in making requirements of Anaconda.



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I shall be glad to discuss this matter further with you.

Sincerely yours,

PUEBLO OF LAGUNA

Roland E. Johnson
Governor

REJ/elm

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